



GENERAL PLAN AMENDMENT AND REZONING STAFF REPORT SPRING 2005 HEARING

Hearing Date/Agenda Number:
P.C. May 25, 2005 Item:

File Number:
GP04-08-01 and C05-010

Council District and SNI Area:
8

Major Thoroughfares Map Number:
85 and 101

Assessor's Parcel Number(s):
659-32-060

Project Manager: Meera Nagaraj and
Reena Mathews

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to Office on a 0.66-acre site and a Conforming Rezoning request to rezone the property from R-1-5 (PD) Planned Development to CO Commercial Office for office uses.

LOCATION: East side of South White Road approximately 920 feet northerly of Aborn Road (3160 South White Road).

ACREAGE: 0.66

APPLICANT/OWNER:

Rigo Bracamantes

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Medium Low Density Residential (8 DU/AC)

Proposed Designation: Office

ZONING DISTRICT(S):

Existing Designation: R-1-5 (PD) Planned Development

Proposed Designation: CO Commercial Office

SURROUNDING LAND USE AND GENERAL PLAN DESIGNATION(S):

North: Single-family residential; Medium Density Residential (8-16 DU/AC)

South: Single-family residential; Medium Low Density Residential (8 DU/AC)

East: Single-family residential; Medium Low Density Residential (8 DU/AC)

West: Retail commercial and Office across South White Road; Neighborhood/Community Commercial

ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration circulated on May 6, 2005.

PLANNING STAFF RECOMMENDATION:

Office/CO Commercial Office Zoning District

Approved by:

Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Public Works (DPW) – Memo from DPW Transportation and Development Services Division shows that the subject site is in Flood Zone “D”. (See DPW memo dated 12/13/04)
-Memo from Public Works required and analyzed a traffic analysis for the project and determined that project is in conformance with City of San Jose Evergreen Development Policy. (See DPW memos dated 3/1/05 and 4/22/05)
- Department of Transportation (DOT) – The estimated number of new PM peak hour trips resulting from the proposed land use change is below the exemption threshold established for this area. Therefore, this General Plan amendment is exempt from a computer model (TRANPLAN) traffic impact analysis.
(See DOT memo dated 4/20/05)
- San Jose Fire Department – The Fire Department has noted that the site flow requirement may be as high as 4,500 GPM. (See San Jose Fire Department memo dated 12/16/04 for complete comments.)
- Valley Transportation Agency (VTA) – VTA has no comments on the proposal.
- Santa Clara Valley Water District (SCVWD) – SCVWD has no objections to the proposal. However, work associated with the development of the site may impact the District’s Quimby Creek, East Pipeline, and Parallel East Pipeline and as such, a District permit may be required.
(See SCVWD memo dated 12/15/04)
- Pacific Gas & Electric – PG&E has no objections at this time regarding GP04-08-01.
- Municipal Water System – The development is responsible for payment of fees. (See Municipal Water System memo dated 2/9/05)

GENERAL CORRESPONDENCE:

No correspondence was received.

ANALYSIS AND RECOMMENDATIONS:

PROJECT DESCRIPTION

This project includes two privately initiated applications: **1)** a General Plan amendment request (GP04-08-01) to change the San Jose 2020 General Plan Land Use/Transportation Diagram from the existing Medium Low Density Residential (8 dwelling units per acre) designation to Office; and **2)** a Conforming Rezoning application (C05-004) from a R-1-5 (PD) Residence Zoning District to CO Commercial Office Zoning District. The project site is 0.66-acres in size, located on the east side of South White Road at 3160 South White Road approximately 920 feet northerly of Aborn Road.

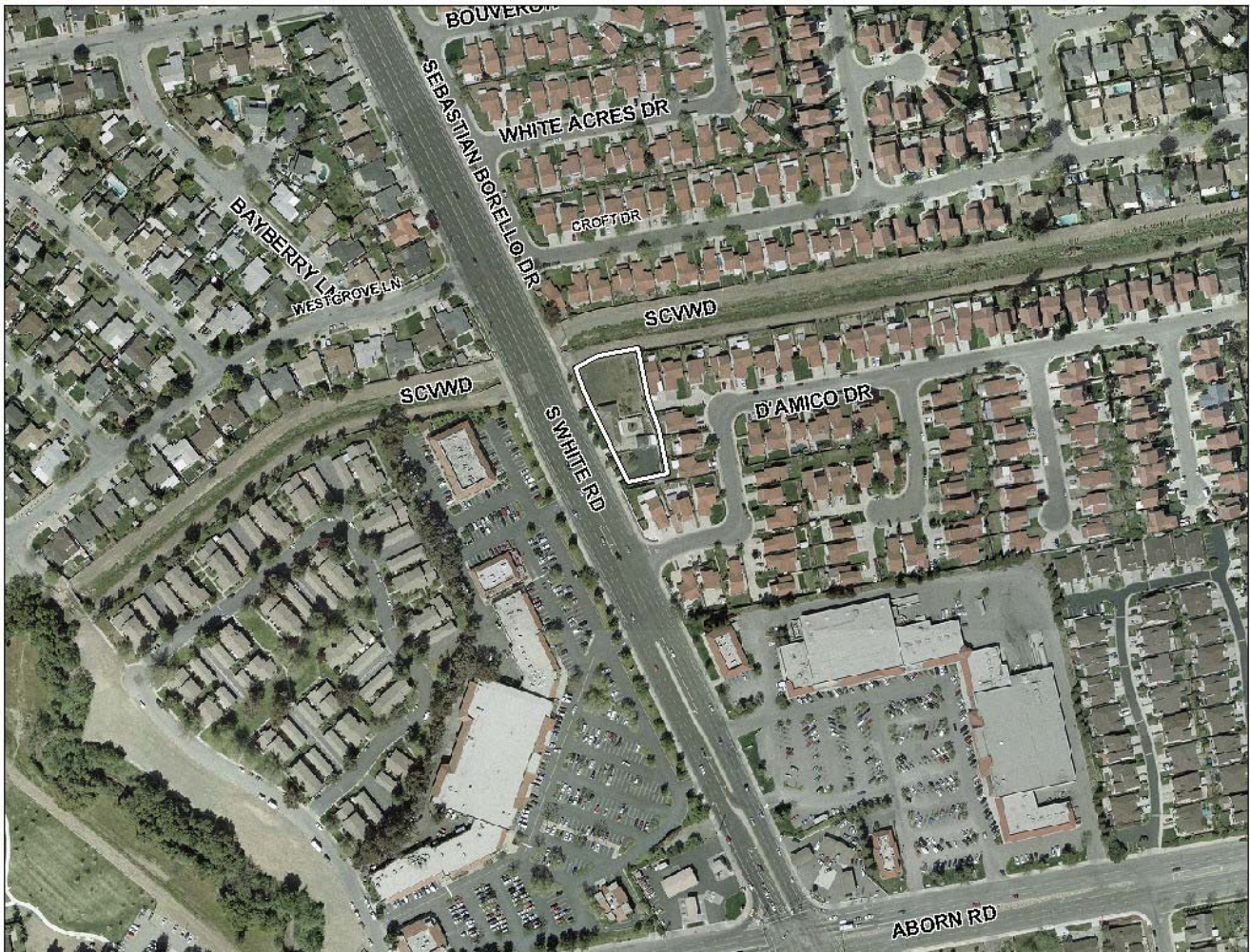
The applicant’s intent, which would require a subsequent site development permit to implement, is to establish a two-story office use that takes advantage of the existing South White Road frontage and other commercial uses along South White Road. The proposed General Plan land use designation of Office would allow the property to be used for business and professional offices. Retail and commercial uses may be allowed only as secondary uses in a larger office development. The *San Jose 2020 General Plan* states that this designation can be used on the edges of residential neighborhoods because office uses are not intrusive, where the development should be of low intensity and compatible with surrounding uses.

BACKGROUND

The site is located on the east side of South White Road approximately 920 feet northerly of Aborn Road. It is occupied by a single-family detached residence, California Ranch - Eclectic style built in 1945, and a detached garage. The site is located in the Evergreen Development Policy Area.

Surrounding Uses

Uses surrounding the site include single-family residences to the east, south, and north across the Quimby Creek, and office/retail commercial to the west across South White Road. Most of the properties facing west on South White Road, and going as far south as the Aborn Road intersection have office or retail commercial uses; properties toward the east of the South White Road and immediately surrounding the subject property are predominantly residential and mostly single-family residences. Quimby Creek runs parallel to the property approximately 50 feet northerly of the northern property line.



Aerial exhibit

(Source: Department of Public Works, 2001. City of San Jose)



Existing single-family structure facing
South White Road



Quimby Creek/Santa Clara Valley Water
District channel to the north of the site



Office/Commercial development
to the west across the South White Road

ANALYSIS

The key issues in analyzing the proposed General Plan amendment and rezoning are: **1)** land use compatibility; **2)** consistency with the San Jose 2020 General Plan Major Strategies, Goals, and Policies; and **3)** appropriateness of the proposed zoning district.

Land Use Compatibility

The subject property has an existing land use designation of Medium Low Density Residential (8DU/AC). The proposal is to change the designation to Office. A concurrently proposed Conforming Rezoning application is on file on this site (C05-010), which requests to change the existing R-1-5 (PD) Residence Zoning District to the CO Commercial Office Zoning District to allow office uses.

The General Plan Land Use/Transportation Diagram designation of Office is intended for sites in or near residential areas or between residential and commercial areas. The designation is intended for low intensity office uses on the margins of residential neighborhoods because it is not intrusive. The proposed change in the land use designation to Office is compatible with the existing neighborhood uses.

Rezoning

The proposed rezoning to CO Commercial Office conforms to the Office General Plan designation that is being concurrently proposed on the subject site. Further, the CO Commercial Office Zoning District is intended to support the Commercial Land Use, Economic Development, and Neighborhood Preservation and Conservation goals and policies of the General Plan through the Zoning District's use regulations and development standards.

Chapter 20.40.10 (Section C.1) of the city's Zoning Ordinance deems the CO Commercial Office District to be compatible in or near residential areas or between residential and commercial areas. Similarly, the CO Commercial Office district allows development of a scale that would be appropriate in or adjacent to residential neighborhoods.

The proposed rezoning to CO Commercial Office Zoning District is well suited for the project site because it is located on a portion of White Road that serves as a commercial corridor. The development on this site requires sensitivity, however, because it is also located adjacent to a residential neighborhood to the east. The proposed rezoning would allow for a subsequent site development that could achieve compatibility with the surrounding residential neighborhood through the site-specific implementation of the Commercial Design Guidelines and the CO Commercial Office Zoning District's required development standards.

Consistency with the San Jose 2020 General Plan Major Strategies, Goals, and Policies

The *San Jose 2020 General Plan* has seven Major Strategies that establish the basic framework for planning in San Jose. One of the seven Major Strategies is Economic Development. The City's economic development strategy strives to make San Jose a more "balanced community" by encouraging more commercial and industrial growth. One of the purposes of the strategy is to improve San Jose's jobs/housing balance and maximize its ability to provide adequate urban services to its residents.

Economic Development Major Strategy

The Economic Development Major Strategy states that the City has continually provided the bulk of the County's housing, particularly its lower cost affordable housing, but it has lagged behind the rest of the County in terms of job growth. This development pattern has contributed to the County-wide traffic congestion conditions and has deprived the City of an adequate tax base for providing desired service levels, because residential development by itself cannot generate sufficient revenues to pay for the services it requires. The Economic Development Major Strategy is designed to maximize the economic potential of the City's land resources while providing employment opportunities for San Jose's residents. The proposal to change the existing land use designation to Office furthers the *Economic Development Goal No. 2* to create a stronger municipal tax base by obtaining a greater share of total commercial development in the County by nurturing and encouraging the expansion of commercial development in the City. The subject site conforms to *Economic Development Policy Goal No. 2* because it provides easy access to professional services, and, in a modest, way it would also contribute to the economic base of the City.

Commercial Land Use Goal and Policies

The *San Jose 2020 General Plan's* Commercial Land Use policies reflect the need to locate new commercial uses in the community to facilitate convenient shopping and easy access to professional services and to contribute to the economic base of the City. *Commercial Land Use Policy No. 5* states, "Commercial development should be allowed within established residential neighborhoods only when such development is compatible with the residential development and is primarily neighborhood serving." The proposal is compatible with Commercial Land Use Policy No. 5 because it is located in a transitional

area between residential and commercial uses. Office commercial use on the site would act as a buffer between the existing residential and commercial areas and is therefore, compatible with the surrounding uses.

Evergreen Development Policy Area

The 1995 Revised Evergreen Development Policy provides the policy framework for the build-out in Evergreen. Traffic LOS “D” and hundred-year flood protection remain prerequisites to project approvals. A long-term traffic analysis using the City’s TRANPLAN computer model shows a benefit from the development of the non-residential properties in Evergreen by promoting the “internalization” of traffic in the area. Conversion of residential uses on the subject site to office uses would contribute to the internalization of traffic.

ENVIRONMENTAL ISSUES

The proposed change in the General Plan land use designation to Office, and the proposed CO Commercial Office rezoning on the subject site was analyzed in an Initial Study, which resulted in a Mitigated Negative Declaration. The Initial Study concluded that the proposed land use change from Medium Low Density Residential (8 DU/AC) to Office would not substantially degrade the quality of the environment. The Initial Study shows the project would have a less than significant impact with mitigation measures in the following categories: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Noise. Aesthetics and Biological Resources impacts and mitigation measures are discussed below.

Aesthetics

The proposed change in land use from Medium Low Density Residential (8.0 DU/AC) to Office could potentially alter the existing visual character of the subject site. If the site were to be developed under the Office land use designation and CO Commercial Office Zoning District, offices could be built on the site with the approval of a development permit, which may change the potential visual character of the site. The site is developed with a single-family house and a detached garage structure. The office development would be required to conform to the Commercial Design Guidelines to help ensure adequate setbacks and compatibility in design with the existing neighborhood. Proposed development would be reviewed through the design review process and would be required to conform to the Zoning Ordinance and be substantially consistent with the Commercial Design Guidelines.

Implementation of Urban Conservation Policy No. 2 and Urban Design Policy Nos. 1 and 8 in the *San Jose 2020 General Plan* would mitigate the potential impact.

Biological Resources

Based on the Biotics document submitted by HT Harvey Associates, Ecological Consultants, Quimby Creek borders approximately 135 linear feet of the northern property edge of the project site, and is an engineered channel maintained by the Santa Clara Valley Water District. The existing fence line is 35 feet from the top of bank along the length of the adjacent subdivision. Some backyard landscaping trees adjacent to the fence line were noted in neighboring residential lots. An existing single-family residence on the subject site is located approximately 85 feet from the edge of the top-of-bank. The riparian habitat of Quimby Creek within the project site is of low quality consisting entirely of non-native grasses and forbs (A broad-leaved herb other than a grass) located below the top-of-bank.

As a part of any future development permits, the proposed project will be required to conform to recommendations in the City’s *Riparian Corridor Policy Study*. Additional mitigation measures are as follows:

- A 45-foot setback to proposed development including a 10-foot landscaping setback from the edge of proposed development (parking area and building) to the property boundary.
- Landscaping on the property shall contain native vegetation to provide some riparian habitat on the site.
- Any lighting installed in the parking area should be directed away from the Creek.

PUBLIC OUTREACH

The property owners and occupants within a 1,000-foot radius were sent a newsletter regarding community meetings that were held on February 16 and 24, and on April 25 and 26, 2005. Property owners also received a notice of public hearings to be held on the subject General Plan amendment and Conforming Rezoning before the Planning Commission and City Council. The Department web site contains information regarding the General Plan process, amendments, staff reports, and hearing schedules. This site is available to any member of the public and contains the most current information regarding the status of the amendments.

Staff has received no written correspondence on the proposed amendment.

RECOMMENDATION

Planning staff recommends the Planning Commission forward a recommendation to the City Council to change the General Plan Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to Office.

In addition, Planning staff recommends that the Planning Commission forward a recommendation to the City Council, that should the General Plan be amended, to approve the proposed Conforming Rezoning from R-1-5 (PD) Planned Development Zoning District to CO Commercial Office Zoning District.

PROPOSED LAND USE DESIGNATION AND ZONING DISTRICT FOR GP04-08-01 AND C05-010

